

MINUTES

County of Inyo Board of Supervisors

December 28, 2010

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 9:00 a.m., on Tuesday, December 28, 2010, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Richard Cervantes presiding, Linda Arcularius, Susan Cash, Beverly Brown, and Marty Fortney. Supervisor Cervantes provided the Invocation, and Supervisor Brown led the Pledge of Allegiance.

- Public Comment The Chairperson announced the public comment period and there was no one from the public wishing to address the Board.
- County Department Reports The Chairperson announced the County Department Report period. Sheriff Lutze reported on last week's storm activity that resulted in flooding that isolated communities and individuals in the southeastern portion of the County. Supervisor Arcularius thanked the Sheriff, Lt. Hardcastle and the road crews that helped to restore access to the South Lake area residents.
- Emerg. Serv./Oak Creek Mud Flow Moved by Supervisor Brown and seconded by Supervisor Arcularius to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- Planning/
GeoScience
Consultants
Contract
Amendment Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve Amendment No. 3 to the Contract between the County of Inyo and GeoScience Consultants for provision of volcanic hazard studies to change the ending date of the Contract from December 31, 2010 to June 30, 2011; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- Resol. #2010-61/
IRWMP Water
Meters Upgrade
Grant Application On a motion by Supervisor Brown and a second by Supervisor Arcularius, Resolution 2010-61 was approved authorizing the application for the First Round Inyo/Mono Integrated Regional Water Management Program Grant Application funds to the California Department of Water Resources, in the amount of \$560,700 for upgrading the water meters in the townships of Laws, Independence, and Lone Pine: motion unanimously passed and adopted.
- Resol. #2010-62/
IRWMP Water
Tank Upgrade
Grant Application On a motion by Supervisor Brown and a second by Supervisor Arcularius, Resolution 2010-62 was approved authorizing the application for the First Round Inyo/Mono Integrated Regional Water Management Program Grant Application funds to the California Department of Water Resources, in the amount of \$428,800 for water tank upgrade and cathodic protection in the townships of Laws and Lone Pine: motion unanimously passed and adopted.
- Resol. #2010-63/
IRWMP Sewer
System Upgrades
Grant Application On a motion by Supervisor Brown and a second by Supervisor Arcularius, Resolution 2010-63 was approved authorizing the application for the First Round Inyo/Mono Integrated Regional Water Management Program Grant Application funds to the California Department of Water Resources, in the amount of \$489,100 for sewer system upgrades in the Aspendell Community Services District (CSA #2): motion unanimously passed and adopted.
- Resol. #2010-64/
IRWMP SCADA
Upgrades Grant
Application On a motion by Supervisor Brown and a second by Supervisor Arcularius, Resolution 2010-64 was approved authorizing the application for the First Round Inyo/Mono Integrated Regional Water Management Program Grant Application funds to the California Department of Water Resources, in the amount of \$83,100 for pump operation redundancy and Supervisory Controls and Data Acquisition (SCADA) upgrades in the townships of Laws, Independence, and Lone Pine: motion unanimously passed and adopted.
- Sheriff/Plotter
Scanner P.O. Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the purchase of one Hewlett-Packard DesignJet T1200 HD-MFP Plotter/Scanner from Source Graphics of Anaheim, California, the apparent low bidder, in an amount not to exceed \$17,117. Motion carried unanimously.

Sheriff/Furniture and Wearable Camera P.O.s	Moved by Supervisor Brown and seconded by Supervisor Arcularius to declare A) Visual Statements, Inc., a sole-source provider of the Total Station and approve the purchase of one Total Station from Visual Statements, Inc., in an amount not to exceed \$10,694.04, including tax and shipping and B) Watch Guard Digital, a sole source provider of CopVu Wearable Cameras, and authorize the purchase of 11 CopVu Wearable Cameras w/accessories from Watch Guard Digital in an amount not to exceed \$10,862.70 including tax and shipping. Motion carried unanimously.
Water Dept./Water Comm. Appointment	Moved by Supervisor Brown and seconded by Supervisor Cash to re-appoint Ms. Teri Cawelti to the Inyo County Water Commission to complete a four-year term ending December 31, 2014. Motion carried unanimously.
Planning/Gruen Gruen + Assoc. Contract Amendment	The Planning Director, Mr. Josh Hart, provided additional information and further justification for approval of a Contract Amendment to the Gruen Gruen + Associates contract for the Socio-Economic Impact Assessment Report. He explained that there might have been miscommunication between Planning staff and the Contractor that had resulted in the Contractor exceeding the Contract amount. Supervisor Cash noted her continued exception to a Contractor exceeding a Contract limit without Board approval. Several Board Members expressed their opinion that since there was miscommunication on the part of staff, the County did have some responsibility with regard to the overrun. The Board requested that staff take every precaution to ensure that this type of situation does not arise in the future. Moved by Supervisor Brown and seconded by Supervisor Arcularius to A) approve Amendment No. 2 to the Contract between the County of Inyo and Gruen Gruen + Associates for professional services to prepare a Socio-Economic Impact Assessment Report, to amend the scope of work, change the ending date of the Contract from January 12, 2011 to June 30, 2011, and increase the amount of the Contract by \$24,585.68 to a total not to exceed \$200,585.68, and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and B) amend the FY 2010-11 Planning Department –Yucca Mountain Repository Assessment Office Budget Unit 620605 by increasing expenditures in Professional and Special Services (<i>Object Code #5265</i>) by \$24,585.68 and decreasing Contingencies – PY Encumbrances (<i>Object Code #5902</i>) by \$24,585.68. Motion carried on a four-to-one vote, with Supervisors Arcularius, Brown, Fortney and Cervantes voting yes and with Supervisor Cash voting no.
Planning/Owens Lakebed Master Plan	The Planning Director, Mr. Josh Hart, reviewed the staff report and recommendations concerning the Owens Lakebed Master Plan. The Board and Staff discussed at length the County's position regarding a NCCP vs. an MOU for administering the Plan. The Board discussed the inclusion of the LORP and the delta in the Plan area. The County Administrator noted the interrelation between the LORP, the delta and the lakebed, explaining that any Plan involving the lakebed would have to ultimately impact the LORP and the delta. He suggested, with agreement by the Board, that a strong statement excluding the LORP and the delta from the Plan was essential to ensure that it is clearly understood that any Plan for the lakebed that impacts the LORP and/or the delta that are outside of the LORP Post Implementation Agreement are undertaken at the sole cost of the City of Los Angeles Department of Water and Power, the County of Inyo is not responsible for funding any portions of any plans outside of those identified in the Long Term Water Agreement and already mutually agreed to by DWP and the County. The Board talked about the need to remind all parties that the goal on the lake is to control the dust, and all other activities must coincide with that primary directive. The Board and staff talked about habitat creep, the impact of the Long Term Water agreement on any Plan developed for the lakebed, and the limitations of a NCCP and DFG's ability to enforce it.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:10 a.m., to reconvene in open session at 10:20 a.m., with all Board Members present.
CAO-Personnel/ LEAA MOU	The County Administrator thanked the LEAA for its cooperation in the negotiation process. Moved by Supervisor Brown and seconded by Supervisor Arcularius to ratify and approve the July 1, 2010 through December 31, 2011 Memorandum of Understanding between the County of Inyo and the Law Enforcement Administrator's Association (LEAA) and authorize the Chairperson to sign. Motion carried unanimously.
Resol. #2010-65/ 2010 December Deluge Disaster	The County Administrator provided further information and details concerning his proclamation of an emergency as a result of flooding that isolated communities in the southeastern portion of the County, that had damaged and caused delays to the Tecopa Sewage Lagoon Project and that had damaged roads and infrastructure throughout the County.

On a motion by Supervisor Cash and a second by Supervisor Arcularius, Resolution No. 2010-65 titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Approving the Declaration by the Director of Emergency Services for the County of Inyo, Proclaiming the Existence of a Local Emergency" related to severe weather conditions that resulted in torrential rains and flooding in southeast Inyo County, which began on Friday, December 17, 2010 and on December 22, 2010 caused flooding that damaged roads and other public facilities, endangering lives and isolating the Community of Tecopa, beyond the control of the services, personnel, equipment, facilities, and fiscal resources of the County of Inyo, was approved; and authorization for the County Administrative Officer or his designee to make revisions to the resolution, as appropriate or if requested by the Office of Emergency Services, and to proceed in executing the resolution without further review by your Board: motion unanimously passed and adopted.

- BofS/Minute Approval Moved by Supervisor Brown and seconded by Supervisor Fortney to approve the minutes of the Board of Supervisors Meetings of A) December 7, 2010 and B) December 14, 2010. Motion carried unanimously.
- Public Comment The Chairperson announced the public comment period and there was no one wishing to address the Board.
- Board Members and Staff Reports The Board Members reported on their activities during the preceding week, including reporting on information from RCRC, the Air Resources Board and NACO. The Board offered departing Supervisor Beverly Brown, thanks for a job well done and wished her well in her future endeavors.
- Closed Session The Chairperson recessed open session at 10:45 a.m., to convene in closed session, with all Board Members present to discuss and take action as appropriate on Agenda Items No. 18. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization - ICEA - Negotiators - Labor Relations Administrator Sue Dishion, Undersheriff Jim Jones, Deputy County Counsel Susanne Rizo, Chief Probation Officer Jeff Thomson; No. 19. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization - Deputy Sheriff's Association (DSA) – Negotiators - Labor Relations Administrator Sue Dishion, and Deputy County Counsel Susanne Rizo; No. 20. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization - Elected Officials Assistant Association (EOAA) – Negotiators - Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion; No. 21. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization - Inyo County Correctional Officers Association (ICCOA) – Negotiators - Labor Relations Administrator Sue Dishion; No. 22. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization - Inyo County Probation Peace Officers Association (ICPPOA) – Negotiators – CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 23. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization – Law Enforcement Administrators' Association (LEAA) – Negotiators - CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; and No. 24. **PERSONNEL (Pursuant to Government Code §54957)** – Public Employee Appointment - Title – Director of Public Works.
- Report on Closed Session The Chairperson recessed closed session at 11:50 a.m., to reconvene in open session to receive a report on closed session. County Counsel reported there were no actions taken in closed session, which are required by law to be reported on in open session.
- Adjournment The Chairperson adjourned the regular meeting at 11:50 a.m., to 9:00 a.m., Tuesday, January 4, 2011, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

Chairperson, Inyo County Board of Supervisors

*Attest: KEVIN D. CARUNCHIO
Clerk of the Board*

*by: _____
Patricia Gunsolley, Assistant*